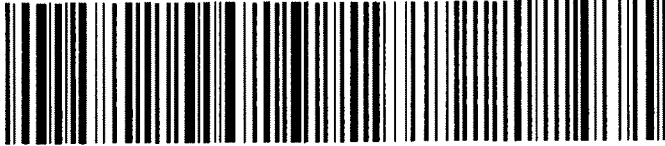


Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



USPS CERTIFIED MAIL™



9214 8901 1251 3410 0000 2802 21

Natalie E. Tennant
Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

SEREDOR CORPORATION
CORPORATION SERVICE COMPANY
1201 HAYS ST
TALLAHASSEE, FL 32301-2699

Control Number: 25215

Agent: CORPORATION SERVICE
COMPANY

Defendant: SEREDOR CORPORATION
1201 HAYS ST
TALLAHASSEE, FL 32301-2699 US

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280221

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

*Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, **not to the Secretary of State's office.***

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

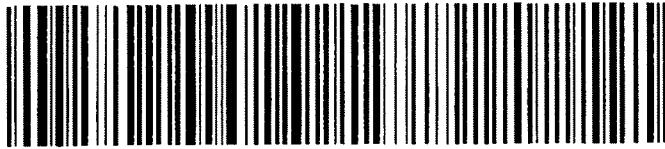
Natalie E. Tennant
Secretary of State



Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



USPS CERTIFIED MAIL™



9214 8901 1251 3410 0000 2802 14

Natalie E. Tennant
Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

METROPOLITAN HEALTH NETWORKDS, INC.
CORPORATION SERVICE COMPANY
1201 HAYS ST
TALLAHASSEE, FL 32301-2699

Control Number: 25214

Agent: CORPORATION SERVICE
COMPANY

Defendant: METROPOLITAN HEALTH
NETWORKDS, INC.
1201 HAYS ST
TALLAHASSEE, FL 32301-2699 US

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280214

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

*Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, **not to the Secretary of State's office.***

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

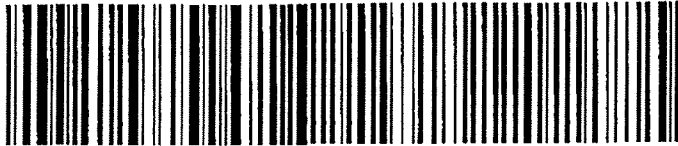
Natalie E. Tennant
Secretary of State

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



Natalie E. Tennant
Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

USPS CERTIFIED MAIL™



9214 8901 1251 3410 0000 2802 07

HUMANA, INC.
Corporation Service Company
2711 CENTERVILLE RD STE 400
WILMINGTON, DE 19808-1645

Control Number: 25213

Defendant: HUMANA, INC.
2711 CENTERVILLE RD STE 400
WILMINGTON, DE 19808-1645 US

Agent: Corporation Service Company

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280207

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

Natalie E. Tennant
Secretary of State

**SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA**

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:

Judge:

14-C-526-K

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC., d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

To: SEREDOR CORPORATION
c/o Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the **Complaint** filed against you, along with "**Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Seredor Corporation**" in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated: 5/23/14

Clerk of Court

By: Paul H. Fleming

CIRCUIT CLERK

2014 MAY 23 AM 11:13

RECEIVED AND FILED

**SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA**

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:

Judge:

14C-526-K

**SEREDOR CORPORATION, a foreign
corporation conducting business in West Virginia;
METROPOLITAN HEALTH NETWORKS, INC.,
a foreign corporation conducting business in West
Virginia; HUMANA, INC., a foreign corporation
conducting business in West Virginia; and
MEDBRIDGE HEALTHCARE, LLC., d/b/a
SLEEPWORKS, a foreign corporation conducting
business in West Virginia,**

Defendants.

**To: METROPOLITAN HEALTH NETWORKS, INC
c/o Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301**

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Metropolitan Health Networks, Inc." in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated:

5/23/14

Clerk of Court

By

Paul H. Flamagan
P. Bowe

RECEIVED AND FILED
2014 MAY 23 AM 11:13
CIRCUIT CLERK

SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:

Judge:

14-C-526-K
HLK

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC., d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

To: HUMANA, INC.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Humana, Inc." in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated:

5/23/14

Clerk of Court

By:

Paul H. Flanagan
Circuit Clerk
Bawo

RECEIVED AND FILED
MAY 23 2014
CIRCUIT CLERK

CIVIL CASE INFORMATION STATEMENT
CIVIL CASES

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

I. CASE STYLE:

Plaintiff

Case # 14-C-526-K

EUDORA JEAN COLEMAN

Judge HUK

vs.

Defendant(s)

Days to
Answer

Type of Service

SEREDOR CORPORATION
Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

30

Secretary of State

METROPOLITAN HEALTH NETWORKS, INC.
Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

30

Secretary of State

HUMANA, INC.
Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

30

Secretary of State

MEDBRIDGE HEALTHCARE, LLC, d/b/a
SLEEPWORKS
National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

30

Secretary of State

Original and 5 copies of Complaint furnished herewith.

CIRCUIT CLERK

2014 MAY 23 AM 11:13

RECEIVED AND FILED

PLAINTIFF: EUDORA JEAN COLEMAN	CASE NUMBER:
DEFENDANTS: SEREDOR CORPORATION, METROPOLITAN HEALTH NETWORKS, INC., HUMANA, INC. and MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS	

II. TYPE OF CASE:

TORTS	OTHER CIVIL	
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Adoption	<input type="checkbox"/> Appeal from Magistrate Court
<input type="checkbox"/> Professional Malpractice	<input type="checkbox"/> Contract	<input type="checkbox"/> Petition for Modification of Magistrate Sentence
<input type="checkbox"/> Personal Injury	<input type="checkbox"/> Real Property	<input type="checkbox"/> Miscellaneous Civil
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Mental Health	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Other Tort	<input type="checkbox"/> Appeal of Administrative Agency	<input type="checkbox"/> Fraud and Conversion

III. JURY DEMAND: ☒ Yes ☐ No

CASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): 04 / 2014

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY OR AGE? ☐ YES ☒ NO

IF YES, PLEASE SPECIFY:

- ☐ Wheelchair accessible hearing room and other facilities
☐ Interpreter or other auxiliary aid for the hearing impaired
☐ Reader or other auxiliary aid for the visually impaired
☐ Spokesperson or other auxiliary aid for the speech impaired
☐ Other: Unknown at this time

Attorney Name: Stephen B. Farmer (W.Va. State Bar No. 1165)
 Matthew H. Nelson (W.Va. State Bar No. 10140)
 George E. Chamberlain, IV (W.Va. State Bar No. 12170)
 Firm: FARMER, CLINE & CAMPBELL, PLLC
 Address: P.O. Box 3842
 Charleston, WV 25338
 Telephone: (304) 346-5990

Representing:

- ☒ Plaintiff ☐ Defendant
☐ Cross-Complainant
☐ Cross-Defendant

Dated: May 21, 2014

Signature

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.: 14-C-526-K
Judge: HUK

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC., d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

COMPLAINT

COMES NOW the Plaintiff, Eudora Jean Coleman, by and through her counsel, Stephen B. Farmer, Matthew H. Nelson, George E. Chamberlain, IV, and Farmer, Cline & Campbell, PLLC, and hereby states as follows for her complaint:

PARTIES

1. Plaintiff, Eudora Jean Coleman, is a resident of Oak Hill, Fayette County, West Virginia.

2. Defendant, Seredor Corporation ("Seredor"), is a foreign corporation, incorporated under the laws of the State of Florida. Defendant Seredor, conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Continucare Corporation ("Continucare"), a Florida-based health care provider.

RECEIVED AND FILED
JUN 23 AM 11:13
CIRCUIT CLERK
[Signature]

3. Defendant, Metropolitan Health Networks, Inc. (“Metropolitan”), is a foreign corporation, incorporated under the laws of the State of Florida. Defendant Metropolitan conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Metropolitan.

4. Defendant, Humana, Inc. (“Humana”), is a foreign corporation, incorporated under the laws of the State of Delaware. Defendant Humana conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Humana.

5. Defendant, Medbridge Healthcare, LLC., d/b/a/ SleepWorks (“SleepWorks”), is a foreign corporation, incorporated under the laws of the State of Delaware. Defendant SleepWorks conducts business throughout West Virginia, including in Beckley, Raleigh County, West Virginia. Seredor and its subdivisions are currently divisions of SleepWorks. SleepWorks currently employs Mrs. Coleman.

6. At all times material to this action, Mrs. Coleman was employed by Defendants as a general manager/marketer on Defendants’ Beckley, Raleigh County, West Virginia site.

JURISDICTION & VENUE

7. The wrongful acts of Defendants alleged below were committed in Beckley, Raleigh County, West Virginia. Venue, therefore, is appropriate pursuant to *West Virginia Code* § 56-1-1.

FACTS

8. Upon information and belief, Mrs. Coleman was hired by Professional Sleep Diagnostics, a sleep medicine and research related company in 1998.

9. Upon information and belief, in or around 2009, Continucare purchased Professional Sleep Diagnostics.

10. In or around June 2011, Continucare and its various divisions (including Seredor) were sold to Metropolitan. As a result of the sale of Continucare to Metropolitan, Metropolitan began efforts to sell Seredor and its various subdivisions. During a conference call in December 2011 between the parties that make up Seredor and Michael Earley, CEO of Metropolitan, a separate and distinct agreement was discussed to retain all managers of Seredor's subdivisions, pending the sale of Seredor. The purpose of the proposed agreement was to propagate and maintain sales price of Seredor and its subdivision up until the time of sale.

11. During a subsequent conference call in January 2012, Mr. Earley stated that a "bonus pool" would be created, based upon the eventual selling price of Seredor and its subdivisions, to reward those managers who stayed on during the sale of Seredor (the "Agreement").

12. The Agreement was later finalized and confirmed in a conference call on March 5, 2012, with the managers of Seredor and its subdivisions. Although a 10% "bonus pool" was discussed during the conference calls, an email dated March 6, 2012, was sent by Gemma Rosello, the CEO of Continucare, to the conference call participants stating that the "bonus pool" would be set at 5% of the eventual selling price of Seredor and its subdivisions. Ms. Rosello's email also stated that the individuals eligible to equally participate in the "bonus pool" were Mrs. Coleman, Jon Swegarden, John Lund, Ofelia Burgos, Dave Weiler, Pete Rusch, Joe Sollecito, and Kelly Horton.

13. In reliance on the promises made by Defendants in the Agreement, Mrs. Coleman remained on with Defendants pending the sale of Seredor and its subdivisions.

14. In or around December 2012, Metropolitan sold Seredor and its subdivisions to various entities, including but not limited to Humana, triggering application of the Agreement. Mrs. Coleman's wages from her share of the Seredor selling price, pursuant to the Agreement, are believed to be in excess of \$40,000.00.

15. Upon information and belief, in or around September 2013, SleepWorks purchased Seredor and its subdivisions from Humana.

16. Despite multiple demands by Mrs. Coleman, Seredor, Metropolitan, Humana, and SleepWorks have refused and/or failed to satisfy the payment obligations to Mrs. Coleman under the Agreement.

17. Since December 2012, Defendants have, on multiple occasions, attempted to renegotiate the Agreement without new consideration. During Defendants' repeated renegotiation attempts, Defendants pressured Mrs. Coleman to accept an amount in wages significantly lower than the wages she is owed pursuant to the Agreement.

18. To date, Mrs. Coleman has not received her final wages in full.

COUNT I

Violation of West Virginia Wage Payment and Collection Act, regarding payment of Plaintiff's final wages (W.Va. Code 25-5-1, *et seq.*)

19. Plaintiff incorporates the allegations in all preceding paragraphs by reference and as if alleged fully herein.

20. W. Va. Code Ann. § 21-5-3(a) of the West Virginia Wage Payment and Collection Act requires that, "Every person, firm or corporation doing business in this state..., shall settle with its employees at least once in every two weeks, unless otherwise provided by

special agreement, and pay them the wages due, less authorized deductions and authorized wage assignments, for their work or services.”

21. In or around December 2012, Metropolitan sold Seredor and its subdivisions to various entities, triggering application of the Agreement, and creating a direct obligation for Defendants to pay Mrs. Coleman wages from her share of the Seredor selling price, pursuant to the Agreement.

22. To date, Plaintiff has not received her wages due.

23. As a result of Defendants’ failure to pay Plaintiff’s wages in full, pursuant to the provisions of West Virginia Code 21-5-4(e), Defendants are liable to Plaintiff for three times the unpaid amount as liquidated damages.

24. Defendants’ actions were intentional, malicious, and in reckless disregard for Plaintiff’s protected rights.

25. As a direct result of the aforementioned unlawful actions, Plaintiff has suffered loss of pay, physical distress and pain, emotional distress and pain, suffering, inconvenience, loss of enjoyment of life, and other non-pecuniary losses.

26. Plaintiff has also incurred, and will continue to incur, attorney’s fees and costs in prosecuting this action.

COUNT II

Intentional Infliction of Emotional Distress

27. Plaintiff incorporates the preceding paragraphs of this Complaint, as if fully restated below.

28. The actions of Defendants as alleged above, including and surrounding Defendants’ failure to pay Plaintiff’s wages, and Defendants’ repeated attempts to renegotiate

the terms of the Agreement, without new consideration, were so extreme and outrageous as to be intolerable in a civilized society.

29. Defendants' conduct was intentional, and was designed to inflict severe emotional distress upon Plaintiff.

30. Defendants acted recklessly when it was certain, or substantially certain, that emotional distress would result from their conduct.

31. Defendants' actions caused Plaintiff to suffer severe emotional distress.

32. Defendants' actions were beyond what could reasonably be expected to be endured by an ordinary person.

33. Defendants lacked any legitimate and non-discriminatory business justification or reason for any of the adverse actions set forth in the preceding paragraphs of this Complaint. Any non-discriminatory justifications set forth by Defendants, either at the time the adverse actions were taken or in their Answer to this Complaint, are pretextual and/or fabricated.

WHEREFORE, Plaintiff, Eudora Jean Coleman, respectfully requests the Court grant the following relief, jointly and severally:


- A. Judgment for a sum of money equal to all back-pay and benefits owing to Plaintiff since the date of injury;
- B. Compensatory Damages;
- C. Punitive Damages;
- D. Attorney's fees and costs, as well as all court costs and expenses and any other damage or expense or fee allowed by law;
- E. Reinstatement or front-pay; and
- F. Such other and further relief as this Court deems proper.

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

EUDORA JEAN COLEMAN,

Plaintiff,

By counsel:



Stephen B. Farmer (W.Va. State Bar No. 1165)
Matthew H. Nelson (W.Va. State Bar No. 10140)
George E. Chamberlain, IV (W.Va. State Bar No. 12170)
FARMER, CLINE & CAMPBELL, PLLC
453 Suncrest Towne Centre Drive, Suite 300
Morgantown, West Virginia 26505
(304) 225-5990

STATE OF WEST VIRGINIA

COUNTY OF RALEIGH SS:

I, PAUL H. FLANAGAN, Clerk of the Circuit Court of Raleigh County do hereby certify that the foregoing is a true and correct copy from the records of my office as the same exists therein.

IN TESTIMONY WHEREOF, I hereunto place my hand and affix the official seal of this Court, at Beckley this the 1st day of July, 20 14.

Paul H. Flanagan
Clerk



EUDORA COLEMAN

VS. SEREDOR CORPORATION

LINE DATE ACTION

1 05/23/14 CASE FILED-ISSUED SUMMONS AND COMPLAINT AND RETURNED TO ATTY FOR
2 SERV. CNS (BLS)
3 06/12/14 REC ACCEPTANCE FROM SEC OF STATE ON BEHALF OF MEDBRIDGE
4 HEALTHCARE LLC. MBS
5 06/12/14 REC ACCEPTANCE FROM SEC OF STATE ON BEHALF OF HUMANA INC. MBS
6 06/12/14 REC ACCEPTANCE FROM SEC OF STATE ON BEHALF OF METROPOLITAN
7 HEALTH NETWORKS INC. MBS
8 06/12/14 REC ACCEPTANCE FROM SEC OF STATE ON BEHALF OF SEREDOR CORP.
9 MBS/JED
10 06/16/14 REC RET OF SERV OF PROCESS "ACCEPTED" BY SECY OF STATE ON BEHALF
11 OF HUMANA, INC. ON 6-13-14. MEM (CC)
12 06/25/14 REC RET OF SERV. ACCEPTED BY VON SMITH ON BEHALF OF SEREDOR
13 CORPORATION ON 6/17/14. (SW) (JED)
14 06/25/14 REC RET OF SERV ACCEPTED ON BEHALF OF MEDBRIDGE HEALTHCARE, LLC
15 06/16/14. GH/JED
16 06/25/14 REC RET OF SERV ACCEPTED ON BEHALF OF METROPOLITAN HEALTH
17 NETWORKDS, INC ; 06/17/14. GH/JED

CIVIL CASE INFORMATION STATEMENT
CIVIL CASES

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

I. CASE STYLE:

Plaintiff

Case # 14-C-526-K

EUDORA JEAN COLEMAN

Judge HLK

vs.

Defendant(s)

Days to
Answer

Type of Service

SEREDOR CORPORATION
Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

30

Secretary of State

METROPOLITAN HEALTH NETWORKS, INC.
Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

30

Secretary of State

HUMANA, INC.
Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

30

Secretary of State

MEDBRIDGE HEALTHCARE, LLC, d/b/a
SLEEPWORKS
National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

30

Secretary of State

Original and 5 copies of Complaint furnished herewith.

CIRCUIT CLERK

RECEIVED AND FILED
2014 MAY 23 AM 11:13



PLAINTIFF: EUDORA JEAN COLEMAN	CASE NUMBER:
DEFENDANTS: SEREDOR CORPORATION, METROPOLITAN HEALTH NETWORKS, INC., HUMANA, INC. and MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS	

II. TYPE OF CASE:

TORTS	OTHER CIVIL	
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Adoption	<input type="checkbox"/> Appeal from Magistrate Court
<input type="checkbox"/> Professional Malpractice	<input type="checkbox"/> Contract	<input type="checkbox"/> Petition for Modification of Magistrate Sentence
<input type="checkbox"/> Personal Injury	<input type="checkbox"/> Real Property	<input type="checkbox"/> Miscellaneous Civil
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Mental Health	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Other Tort	<input type="checkbox"/> Appeal of Administrative Agency	<input type="checkbox"/> Fraud and Conversion

III. JURY DEMAND: ☒ Yes ☐ No

CASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): 04 / 2014

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY OR AGE? ☐ YES ☒ NO

IF YES, PLEASE SPECIFY:

- ☐ Wheelchair accessible hearing room and other facilities
☐ Interpreter or other auxiliary aid for the hearing impaired
☐ Reader or other auxiliary aid for the visually impaired
☐ Spokesperson or other auxiliary aid for the speech impaired
☐ Other: Unknown at this time

Attorney Name: Stephen B. Farmer (W.Va. State Bar No. 1165)
 Matthew H. Nelson (W.Va. State Bar No. 10140)
 George E. Chamberlain, IV (W.Va. State Bar No. 12170)
 Firm: FARMER, CLINE & CAMPBELL, PLLC
 Address: P.O. Box 3842
 Charleston, WV 25338
 Telephone: (304) 346-5990

Representing:

- ☒ Plaintiff ☐ Defendant
☐ Cross-Complainant
☐ Cross-Defendant

Dated: May 21, 2014

Signature

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.: 14-C-526-K
Judge: HLC

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC., d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

COMPLAINT

COMES NOW the Plaintiff, Eudora Jean Coleman, by and through her counsel, Stephen B. Farmer, Matthew H. Nelson, George E. Chamberlain, IV, and Farmer, Cline & Campbell, PLLC, and hereby states as follows for her complaint:

PARTIES

1. Plaintiff, Eudora Jean Coleman, is a resident of Oak Hill, Fayette County, West Virginia.

2. Defendant, Seredor Corporation ("Seredor"), is a foreign corporation, incorporated under the laws of the State of Florida. Defendant Seredor, conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Continucare Corporation ("Continucare"), a Florida-based health care provider.

RECEIVED AND FILED
JUL 23 AM 11:13
CIRCUIT CLERK
[Signature]

3. Defendant, Metropolitan Health Networks, Inc. (“Metropolitan”), is a foreign corporation, incorporated under the laws of the State of Florida. Defendant Metropolitan conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Metropolitan.

4. Defendant, Humana, Inc. (“Humana”), is a foreign corporation, incorporated under the laws of the State of Delaware. Defendant Humana conducted business throughout West Virginia, including in Beckley, Raleigh County, West Virginia, at all times material to this action. Seredor and its subdivisions were formerly divisions of Humana.

5. Defendant, Medbridge Healthcare, LLC, d/b/a/ SleepWorks (“SleepWorks”), is a foreign corporation, incorporated under the laws of the State of Delaware. Defendant SleepWorks conducts business throughout West Virginia, including in Beckley, Raleigh County, West Virginia. Seredor and its subdivisions are currently divisions of SleepWorks. SleepWorks currently employs Mrs. Coleman.

6. At all times material to this action, Mrs. Coleman was employed by Defendants as a general manager/marketer on Defendants’ Beckley, Raleigh County, West Virginia site.

JURISDICTION & VENUE

7. The wrongful acts of Defendants alleged below were committed in Beckley, Raleigh County, West Virginia. Venue, therefore, is appropriate pursuant to *West Virginia Code* § 56-1-1.

FACTS

8. Upon information and belief, Mrs. Coleman was hired by Professional Sleep Diagnostics, a sleep medicine and research related company in 1998.

9. Upon information and belief, in or around 2009, Continucare purchased Professional Sleep Diagnostics.

10. In or around June 2011, Continucare and its various divisions (including Seredor) were sold to Metropolitan. As a result of the sale of Continucare to Metropolitan, Metropolitan began efforts to sell Seredor and its various subdivisions. During a conference call in December 2011 between the parties that make up Seredor and Michael Earley, CEO of Metropolitan, a separate and distinct agreement was discussed to retain all managers of Seredor's subdivisions, pending the sale of Seredor. The purpose of the proposed agreement was to propagate and maintain sales price of Seredor and its subdivision up until the time of sale.

11. During a subsequent conference call in January 2012, Mr. Earley stated that a "bonus pool" would be created, based upon the eventual selling price of Seredor and its subdivisions, to reward those managers who stayed on during the sale of Seredor (the "Agreement").

12. The Agreement was later finalized and confirmed in a conference call on March 5, 2012, with the managers of Seredor and its subdivisions. Although a 10% "bonus pool" was discussed during the conference calls, an email dated March 6, 2012, was sent by Gemma Rosello, the CEO of Continucare, to the conference call participants stating that the "bonus pool" would be set at 5% of the eventual selling price of Seredor and its subdivisions. Ms. Rosello's email also stated that the individuals eligible to equally participate in the "bonus pool" were Mrs. Coleman, Jon Swegarden, John Lund, Ofelia Burgos, Dave Weiler, Pete Rusch, Joe Sollecito, and Kelly Horton.

13. In reliance on the promises made by Defendants in the Agreement, Mrs. Coleman remained on with Defendants pending the sale of Seredor and its subdivisions.

14. In or around December 2012, Metropolitan sold Seredor and its subdivisions to various entities, including but not limited to Humana, triggering application of the Agreement. Mrs. Coleman's wages from her share of the Seredor selling price, pursuant to the Agreement, are believed to be in excess of \$40,000.00.

15. Upon information and belief, in or around September 2013, SleepWorks purchased Seredor and its subdivisions from Humana.

16. Despite multiple demands by Mrs. Coleman, Seredor, Metropolitan, Humana, and SleepWorks have refused and/or failed to satisfy the payment obligations to Mrs. Coleman under the Agreement.

17. Since December 2012, Defendants have, on multiple occasions, attempted to renegotiate the Agreement without new consideration. During Defendants' repeated renegotiation attempts, Defendants pressured Mrs. Coleman to accept an amount in wages significantly lower than the wages she is owed pursuant to the Agreement.

18. To date, Mrs. Coleman has not received her final wages in full.

COUNT I

Violation of West Virginia Wage Payment and Collection Act, regarding payment of Plaintiff's final wages (W.Va. Code 25-5-1, *et seq.*)

19. Plaintiff incorporates the allegations in all preceding paragraphs by reference and as if alleged fully herein.

20. W. Va. Code Ann. § 21-5-3(a) of the West Virginia Wage Payment and Collection Act requires that, "Every person, firm or corporation doing business in this state..., shall settle with its employees at least once in every two weeks, unless otherwise provided by

special agreement, and pay them the wages due, less authorized deductions and authorized wage assignments, for their work or services.”

21. In or around December 2012, Metropolitan sold Seredor and its subdivisions to various entities, triggering application of the Agreement, and creating a direct obligation for Defendants to pay Mrs. Coleman wages from her share of the Seredor selling price, pursuant to the Agreement.

22. To date, Plaintiff has not received her wages due.

23. As a result of Defendants’ failure to pay Plaintiff’s wages in full, pursuant to the provisions of West Virginia Code 21-5-4(e), Defendants are liable to Plaintiff for three times the unpaid amount as liquidated damages.

24. Defendants’ actions were intentional, malicious, and in reckless disregard for Plaintiff’s protected rights.

25. As a direct result of the aforementioned unlawful actions, Plaintiff has suffered loss of pay, physical distress and pain, emotional distress and pain, suffering, inconvenience, loss of enjoyment of life, and other non-pecuniary losses.

26. Plaintiff has also incurred, and will continue to incur, attorney’s fees and costs in prosecuting this action.

COUNT II

Intentional Infliction of Emotional Distress

27. Plaintiff incorporates the preceding paragraphs of this Complaint, as if fully restated below.

28. The actions of Defendants as alleged above, including and surrounding Defendants’ failure to pay Plaintiff’s wages, and Defendants’ repeated attempts to renegotiate

the terms of the Agreement, without new consideration, were so extreme and outrageous as to be intolerable in a civilized society.

29. Defendants' conduct was intentional, and was designed to inflict severe emotional distress upon Plaintiff.

30. Defendants acted recklessly when it was certain, or substantially certain, that emotional distress would result from their conduct.

31. Defendants' actions caused Plaintiff to suffer severe emotional distress.

32. Defendants' actions were beyond what could reasonably be expected to be endured by an ordinary person.

33. Defendants lacked any legitimate and non-discriminatory business justification or reason for any of the adverse actions set forth in the preceding paragraphs of this Complaint. Any non-discriminatory justifications set forth by Defendants, either at the time the adverse actions were taken or in their Answer to this Complaint, are pretextual and/or fabricated.

WHEREFORE, Plaintiff, Eudora Jean Coleman, respectfully requests the Court grant the following relief, jointly and severally:


- A. Judgment for a sum of money equal to all back-pay and benefits owing to Plaintiff since the date of injury;
- B. Compensatory Damages;
- C. Punitive Damages;
- D. Attorney's fees and costs, as well as all court costs and expenses and any other damage or expense or fee allowed by law;
- E. Reinstatement or front-pay; and
- F. Such other and further relief as this Court deems proper.

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

EUDORA JEAN COLEMAN,

Plaintiff,

By counsel:



Stephen B. Farmer (W.Va. State Bar No. 1165)
Matthew H. Nelson (W.Va. State Bar No. 10140)
George E. Chamberlain, IV (W.Va. State Bar No. 12170)
FARMER, CLINE & CAMPBELL, PLLC
453 Suncrest Towne Centre Drive, Suite 300
Morgantown, West Virginia 26505
(304) 225-5990

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



RECEIVED AND FILED
2014 JUN 11 AM 9:17

CIRCUIT CLERK

Natalie E. Tennant
Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

Paul H Flanagan
Raleigh County Courthouse
215 Main Street
Beckley, WV 25801-4688

Control Number: 25215

Agent: CORPORATION SERVICE
COMPANY

Defendant: SEREDOR CORPORATION
1201 HAYS ST
TALLAHASSEE, FL 32301-2699 US

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280221

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

Natalie E. Tennant
Secretary of State

RECEIVED AND FILED
2014 JUN 12 AM 9:21
CIRCUIT CLERK

SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.: 14-C-526-K

Judge: HLK

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC., d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

To: SEREDOR CORPORATION
c/o Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

FILED
JUL 10 2014
CLERK OF COURT
RALEIGH COUNTY
WEST VIRGINIA

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Seredor Corporation" in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated: 5/23/14

Paul H. Flamagen
Clerk of Court

By: Paul

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

RECEIVED AND FILED

2014 JUN 11 AM 9:17



CIRCUIT CLERK

Natalie E. Tennant

Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

Paul H Flanagan
Raleigh County Courthouse
215 Main Street
Beckley, WV 25801-4688

RECEIVED AND FILED
2014 JUN 12 AM 9:21
CIRCUIT CLERK
MBS

Control Number: 25214

Agent: CORPORATION SERVICE
COMPANY

Defendant: METROPOLITAN HEALTH
NETWORKDS, INC.
1201 HAYS ST
TALLAHASSEE, FL 32301-2699 US

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280214

Service Date: 6/9/2014

I am enclosing:

1 Interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

Natalie E. Tennant
Secretary of State

SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:
Judge:

14-C-526-K

SEREDOR CORPORATION, a foreign
corporation conducting business in West Virginia;
METROPOLITAN HEALTH NETWORKS, INC.,
a foreign corporation conducting business in West
Virginia; HUMANA, INC., a foreign corporation
conducting business in West Virginia; and
MEDBRIDGE HEALTHCARE, LLC., d/b/a
SLEEPWORKS, a foreign corporation conducting
business in West Virginia,

Defendants.

To: METROPOLITAN HEALTH NETWORKS, INC
c/o Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

STATE OF WEST VIRGINIA
JUL 10 2014
CLERK OF COURT
JUL 9 2014

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Metropolitan Health Networks, Inc." in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated: 5/23/14

Paul H. Flanagan
Clerk of Court
By C. Bawle

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

RECEIVED AND FILED

2014 JUN 11 AM 9:16

CIRCUIT CLERK



Natalie E. Tennant

Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683

Visit us online:
www.wvsos.com

RECEIVED AND FILED
JUN 12 AM 9:21
CIRCUIT CLERK
MB

Paul H Flanagan
Raleigh County Courthouse
215 Main Street
Beckley, WV 25801-4688

Control Number: 25213

Defendant: HUMANA, INC.
2711 CENTERVILLE RD STE 400
WILMINGTON, DE 19808-1645 US

Agent: Corporation Service Company

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280207

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your unauthorized foreign corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your unauthorized foreign corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Natalie E. Tennant".

Natalie E. Tennant
Secretary of State

**SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA**

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:

Judge:

**SEREDOR CORPORATION, a foreign
corporation conducting business in West Virginia;
METROPOLITAN HEALTH NETWORKS, INC.,
a foreign corporation conducting business in West
Virginia; HUMANA, INC., a foreign corporation
conducting business in West Virginia; and
MEDBRIDGE HEALTHCARE, LLC., d/b/a
SLEEPWORKS, a foreign corporation conducting
business in West Virginia,**

Defendants.

**To: HUMANA, INC.
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808**

STATE OF WEST VIRGINIA
CLERK OF COURT
JUL 9 2014
AM 9:26

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Humana, Inc." in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated: 5/23/14

Clerk of Court

By:

Paul H. Flanagan
Boyle

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



RECEIVED AND FILED
2014 JUN 11 AM 9:16

CIRCUIT CLERK _____

Natalie E. Tennant
Secretary Of State
State Of West Virginia
Phone: 304-558-6000
866-767-8683
Visit us online:
www.wvsos.com

Paul H Flanagan
Raleigh County Courthouse
215 Main Street
Beckley, WV 25801-4688

RECEIVED AND FILED
2014 JUN 12 AM 9:21
CIRCUIT CLERK
(Signature)
MB S

Control Number: 25212

Agent: NATIONAL REGISTERED AGENTS

Defendant: MEDBRIDGE HEALTHCARE, LLC
STE 101
160 GREENTREE DR
DOVER, DE 19904-7620 US

County: Raleigh

Civil Action: 14-C-526-K

Certified Number: 92148901125134100000280191

Service Date: 6/9/2014

I am enclosing:

1 interrogatories, 1 request for production, 1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

Natalie E. Tennant

Natalie E. Tennant
Secretary of State

SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.:
Judge:

14-C-526-K

HLLK

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

To: MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS
c/o National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

STATE OF WEST VIRGINIA
JUL 9 2014
CLERK OF COURT

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Medbridge Healthcare, LLC, d/b/a Sleepworks" in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated:

5/23/14

Clerk of Court

By:

Paul W. Flamagan
Bauer

SUMMONS
IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No.: 14-C-526-K
Judge: HLK

SEREDOR CORPORATION, a foreign corporation conducting business in West Virginia; METROPOLITAN HEALTH NETWORKS, INC., a foreign corporation conducting business in West Virginia; HUMANA, INC., a foreign corporation conducting business in West Virginia; and MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS, a foreign corporation conducting business in West Virginia,

Defendants.

To: MEDBRIDGE HEALTHCARE, LLC, d/b/a SLEEPWORKS
c/o National Registered Agents, Inc.
160 Greentree Drive, Suite 101
Dover, DE 19904

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby Summoned and required to serve upon Matthew H. Nelson, Plaintiff's attorney, whose address is 453 Suncrest Towne Centre, Suite 300, Morgantown, West Virginia 26505, an answer, including any related counterclaim you may have, to the Complaint filed against you, along with "Plaintiff's First Set of Interrogatories and Requests for Production of Documents to Defendant Medbridge Healthcare, LLC, d/b/a Sleepworks" in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer to the Complaint within thirty (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint, and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action. The attached discovery requests contain the information about when and how your responses to those requests may be made.

Dated: 5/23/14

Paul H. Flanagan
Clerk of Court
By: Paul H. Flanagan

RECEIVED AND FILED
CIRCUIT CLERK
MAY 23 AM 11:13

Civil Action Number 14-C-526-K
Package Identification Code 92148901125134100000280221
Signature Downloaded 6/23/2014 6:06:06 AM
Defendant Name SEREDOR CORPORATION



Date Produced: 06/23/2014

WEST VIRGINIA SECRETARY OF STATE:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1251 3410 0000 2802 21. Our records indicate that this item was delivered on 06/17/2014 at 09:49 a.m. in TALLAHASSEE, FL 32315. The scanned image of the recipient information is provided below.

Signature of Recipient :

Don Smith
Don Smith

Address of Recipient :

1201 Hays St

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 28022

RECEIVED AND FILED
2014 JUN 25 PM 3:22
CLERK OF COURT
43

Civil Action Number 14-C-526-K
Package Identification Code 92148901125134100000280214
Signature Downloaded 6/23/2014 6:06:06 AM
Defendant Name METROPOLITAN HEALTH NETWORKDS, INC.



RECEIVED AND FILED
2014 JUL 25 PM 3:22
CLERK OF COURT
84

Date Produced: 06/23/2014

WEST VIRGINIA SECRETARY OF STATE:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1251 3410 0000 2802 14. Our records indicate that this item was delivered on 06/17/2014 at 09:49 a.m. in TALLAHASSEE, FL 32315. The scanned image of the recipient information is provided below.

Signature of Recipient :

Von Smith
Von Smith

Address of Recipient :

1201 Hears St

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 28021

Civil Action Number 14-C-526-K
Package Identification Code 92148901125134100000280207
Signature Downloaded 6/16/2014 6:04:37 AM
Defendant Name HUMANA, INC.



Date Produced: 06/16/2014

WEST VIRGINIA SECRETARY OF STATE:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1251 3410 0000 2802 07. Our records indicate that this item was delivered on 06/13/2014 at 09:03 a.m. in WILMINGTON, DE 19808. The scanned image of the recipient information is provided below.

Signature of Recipient :

William Lally
William Lally

Address of Recipient :

2711 CENTRE RD. N.
RA South 700

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 28020

cc
JUN 18 10 43 AM
WILMINGTON, DE
9214 8901 1251 3410 0000 2802 07

Civil Action Number 14-C-526-K
Package Identification Code 92148901125134100000280191
Signature Downloaded 6/23/2014 6:06:06 AM
Defendant Name MEDBRIDGE HEALTHCARE, LLC



RECEIVED AND FILED
2014 JUN 25 PM 3:22
CIRCUIT CLERK
[Signature]

Date Produced: 06/23/2014

WEST VIRGINIA SECRETARY OF STATE:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 1251 3410 0000 2801 91. Our records indicate that this item was delivered on 06/16/2014 at 10:27 a.m. in DOVER, DE 19904. The scanned image of the recipient information is provided below.

Signature of Recipient :

[Handwritten signature: General Governor
Andrews, Dennis]

Address of Recipient :

[Handwritten address: 1100 Greenlee Dr #101]

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: 28019

AFFIDAVIT OF JOAN O. LENAHAN

COMMONWEALTH OF KENTUCKY;

COUNTY OF JEFFERSON, to wit:

Before me, the undersigned authority, this day personally appeared Joan O. Lenahan, who after being duly sworn on her oath deposes and says:

1. My name is Joan O. Lenahan, and I am currently Vice President and Corporate Secretary for Humana Inc. ("Humana"), Seredor Corporation ("Seredor") and Metropolitan Health Networks, Inc. ("Metropolitan"). As such, I have first-hand knowledge of the matters set forth in this Affidavit.

2. Seredor is a Florida corporation with its principal place of business in Miami, Florida.

3. Metropolitan is a Florida corporation with its principal place of business in Boca Raton, Florida.

4. Humana is a Delaware corporation with its principal place of business in Louisville, Kentucky.

AND FURTHER THIS AFFIANT SAYETH NAUGHT.

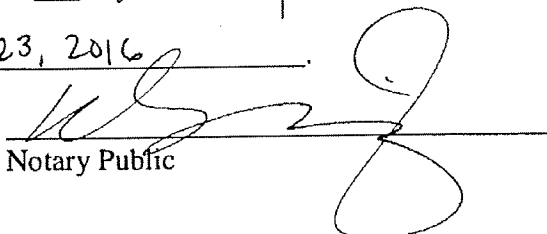

JOAN O. LENAHAN

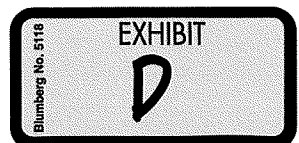
Taken, subscribed and sworn to before me this 8 day of July, 2014.

My commission expires: January 23, 2016

Kara J. Vogelsang; Notary Public
State At Large
Kentucky

My Commission Expires January 23, 2016


Notary Public



IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No. _____
(Formerly Raleigh County Circuit Court, Civil Action No. 14-C-526-K)

SEREDOR CORPORATION, a foreign
corporation conducting business in West Virginia;
METROPOLITAN HEALTH NETWORKS, INC.,
a foreign corporation conducting business in West
Virginia; HUMANA, INC., a foreign corporation
conducting business in West Virginia; and
MEDBRIDGE HEALTHCARE, INC., d/b/a
SLEEPWORKS, a foreign corporation conducting
business in West Virginia,

Defendants.

AFFIDAVIT

STATE OF GEORGIA,

COUNTY OF DEKALB, To-Wit:

1. My name is Barbara H. Lebow, Esq. I am employed as the General Counsel, and am a designated representative for MedBridge Healthcare LLC. I have personal knowledge of the matters contained herein and am satisfied that this affidavit is true and correct. I am authorized by MedBridge Healthcare LLC to submit this affidavit.

2. MedBridge Healthcare LLC is wholly owned by MedBridge Acquisition Corp., MedBridge Acquisition Corp. is incorporated in Delaware with its principal office in Greenville, South Carolina.

And further the Affiant saith not.

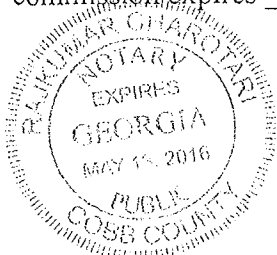
Barbara H. Lebow, Esq.
Barbara H. Lebow, Esq.

Taken, subscribed and sworn to before me this 7th day of July, 2014.

My commission expires

05/13/2016

{seal}



[Signature]
Notary Public



IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

EUDORA JEAN COLEMAN,

Plaintiff,

v.

Civil Action No. _____

SEREDOR CORPORATION, a foreign
corporation conducting business in West Virginia;
METROPOLITAN HEALTH NETWORKS, INC.,
a foreign corporation conducting business in West
Virginia; HUMANA, INC., a foreign corporation
conducting business in West Virginia; and
MEDBRIDGE HEALTHCARE, INC., d/b/a
SLEEPWORKS, a foreign corporation conducting
business in West Virginia,

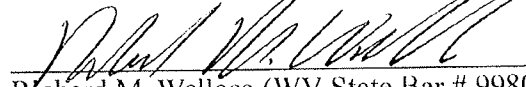
Defendants.

CONSENT TO REMOVAL

MedBridge Healthcare LLC¹ hereby expressly consents to the removal of this case from the Circuit Court of Raleigh County, West Virginia, (Civil Action No. 14-C-526-K), to the United States District Court for the Southern District of West Virginia, at Beckley, pursuant to the Notice of Removal filed by defendants Seredor Corporation, Metropolitan Health Networks, Inc., and Humana, Inc. on July 8, 2014.

MEDBRIDGE HEALTHCARE LLC

By: Spilman Thomas & Battle, PLLC



Richard M. Wallace (WV State Bar # 9980)

Kate Sturdivant Gibson (WV State Bar #11628)

300 Kanawha Boulevard, East (Zip 25301)

P.O. Box 273

Charleston, WV 25321-0273

304-340-3800

¹ MedBridge Healthcare LLC was incorrectly identified as MedBridge Healthcare, Inc. in Plaintiff's Complaint.

